

of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that it be reprocessed under the supervision of this department so that it contain not less than 80 per cent of milk fat.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13183. Misbranding of butter. U. S. v. 30 Packages of Butter. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 18951. I. S. No. 18328-v. S. No. C-4468.)

On or about August 2, 1924, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 30 packages of butter, remaining in the original unbroken packages at Chattanooga, Tenn., alleging that the article had been shipped by the Dodge County Creamery, Eastman, Ga., July 24, 1924, and transported from the State of Georgia into the State of Tennessee, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Sunny South Butter * * * Dodge County Creamery Eastman, Georgia, One Pound Net When Packed."

Misbranding of the article was alleged in the libel for the reason that the packages of butter, branded and labeled as containing by weight 1 pound net, did not each contain 1 pound of butter but contained a less amount.

On November 3, 1924, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13184. Adulteration and misbranding of feed. U. S. v. Western Feed Manufacturers, Inc. Plea of guilty. Fine, \$250 and costs. (F. & D. No. 19254. I. S. Nos. 8838-v, 8842-v, 8848-v, 9101-v, 10584-v.)

On February 10, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Western Feed Manufacturers, Inc., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, in various consignments, namely, on or about April 26, 1923, from the State of Illinois into the State of Maryland, and on or about July 13, September 8, November 12, November 28, and December 22, 1923, respectively, from the State of Illinois into the State of Indiana, of quantities of feed, a portion of which was adulterated and misbranded and the remainder of which was misbranded. The article was labeled variously: "Sure Pay Scratch Feed * * * Made From—Cracked Corn, Wheat, Barley, Oats, Buck Wheat, Milo And Sunflower Seed"; "'Cee-O-Bee' Chop Feed * * * Made From—Corn Feed Meal, Oat Shorts, Ground Oats, Corn Germ Meal, Reground Oat Feed And Recleaned Ground Wheat Screenings"; "'Rep' Dairy Feed Guaranteed Analysis Protein 16% Fibre 12% Fat 4% Made From Bran, Standard Middlings, Gluten Feed, Cotton Seed Meal, Wheat Barley & Kaffir Screenings, Rice Bran, Molasses, And ½ Of 1% Salt"; "Big Flo Dairy Feed Guaranteed Analysis Protein 24% * * * Made From Wheat Bran, Standard Wheat Middlings, Linseed Oil Meal Alfalfa Meal Cotton Seed Meal Gluten Feed." The Big Flo dairy feed was further labeled: (Tag) "compounded from the following ingredients: Wheat Bran, Standard Wheat Middlings, Old Process Linseed Oil Meal, Corn Gluten Feed, Cottonseed Meal, Rice Bran, Alfalfa Meal and ½ of 1% Salt." Each feed was further labeled: "Manufactured Exclusively By Western Feed Mfrs. Chicago, Ill. U. S. A."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that: The Sure Pay scratch feed contained in addition to the declared ingredients a large amount of small weed seeds; the Cee-O-Bee chop feed contained nabisco meal, ice cream cone refuse, or a similar product, whole and crimped oats, and linseed meal, which were not declared, and did not contain ground oats and corn germ meal, which were declared, the protein content and the crude fiber content being 8.36 per cent and 14.68 per cent, respectively; the Rep dairy feed contained ground oat hulls, which were not declared, and did not contain wheat bran and rice bran, which were declared, the protein, crude fat, and crude fiber content being 12.47 per cent, 3.70 per cent, and 12.65 per cent, respectively; a portion of the Big Flo

dairy feed contained corn feed meal and nabisco meal, or a similar product, which were not declared, and did not contain corn gluten feed and rice bran, which were declared. The protein content of the said portion was 20.1 per cent. The remainder of the Big Flo dairy feed contained ground corn, a dried milk product, and a material of the nature of cookie refuse, which were not declared, and did not contain rice bran and corn gluten feed, which were declared. The protein content was 22.40 per cent.

Adulteration of the Sure Pay scratch feed was alleged in the information for the reason that a substance, to wit, screenings consisting of clover seeds and weed seeds, had been substituted in part for the article.

Misbranding was alleged for the reason that the statements in the labelings, to wit, "Made From—Cracked Corn, Wheat, Barley, Oats, Buck Wheat, Milo And Sunflower Seed," regarding the Sure Pay scratch feed, "Big Flo Dairy Feed Guaranteed Analysis Protein 24% * * * Made From Wheat Bran, Standard Wheat Middlings, Linseed Oil Meal Alfalfa Meal Cottonseed Meal Gluten Feed" and "compounded from the following ingredients: Wheat Bran, Standard Wheat Middlings, Old Process Linseed Oil Meal, Corn Gluten Feed, Cottonseed Meal, Rice Bran, Alfalfa Meal and ½ of 1% Salt," regarding the Big Flo dairy feed, "Made From—Corn Feed Meal, Oat Shorts, Ground Oats, Corn Germ Meal, Reground Oat Feed And Recleaned Ground Wheat Screenings" and "Guaranteed Analysis Protein 10% Crude Fiber 12%," regarding the Cee-O-Bee chop feed, and "Guaranteed Analysis Protein 16%, Fiber 12%, Fat 4%, Made From Bran, Standard Middlings, Gluten Feed, Cotton Seed Meal, Wheat Barley & Kaffir Screenings, Rice Bran, Molasses, And ½ Of 1% Salt," with regard to the Rep dairy feed, were false and misleading, in that the said statements represented that the article was made solely from the ingredients declared on the respective labels, that the Big Flo dairy feed contained 24 per cent of protein, that the Cee-O-Bee chop feed contained 10 per cent of protein and not more than 12 per cent of fiber, and that the Rep dairy feed contained 16 per cent of protein, 4 per cent of fat, and 12 per cent of fiber, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was made solely from the ingredients declared on the respective labels, that the Big Flo dairy feed contained 24 per cent of protein, that the Cee-O-Bee chop feed contained 10 per cent of protein and not more than 12 per cent of fiber, and that the Rep dairy feed contained 16 per cent of protein, 4 per cent of fat, and 12 per cent of fiber, whereas the articles were not made solely from the ingredients declared on the respective labels but did contain certain ingredients not declared and did not contain certain ingredients declared, the Big Flo dairy feed contained less than 24 per cent of protein, the Cee-O-Bee chop feed contained less than 10 per cent of protein and more than 12 per cent of fiber, and the Rep dairy feed contained less than 16 per cent of protein, less than 4 per cent of fat, and more than 12 per cent of fiber.

On March 2, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$250 and costs.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13185. Adulteration of tankage. U. S. v. United Bi-Products Co., a Corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 19303. I. S. Nos. 4913-v, 8846-v.)

On February 10, 1925, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the United Bi-Products Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the food and drugs act, in two consignments, namely, on or about July 30 and October 27, 1923, respectively, from the State of Illinois into the State of Indiana, of quantities of tankage which was adulterated. The article was labeled in part: (Bag) "100 Lbs. Net Success Brand Digester Tankage * * * Guaranteed Analysis Protein 60% * * * Ingredients Meat, Blood and Bone Manufactured By United Bi-Products Co. Kansas City—Chicago—East St. Louis."

Examination of the article by the Bureau of Chemistry of this department showed that it contained a small amount of hoof meal and also an appreciable amount of plant tissues, indicating stomach contents. Analysis by said bureau